

REMARKS

Claims 1-24 are pending. Claims 1 and 10 have been amended. The amendments are at least supported by the disclosures in page 21, lines 19-24 of the specification and original claim 10. No new matter has been introduced.

Claim Rejections -- 35 U.S.C. §103

Applicants respectfully traverse the obviousness rejections of claims 1-10 and 16-24 over Tabota et al. (US 6,663,929) in view of Totani et al. (JP 2002-166509) under 35 U.S.C. §103(a).

Claim 1 has been amended to recite a heat-shrinkable polyester type film comprising an easily slipping layer, wherein the easily slipping layer comprises a lubricant, a binder resin, and a sulfonic acid type component. The sulfonic acid type component is used in the claimed invention to suppress the surface specific resistance of the easily slipping layer (see page 21, lines 19-24 of the specification). Tabota in view of Totani does not teach or suggest a heat-shrinkable polyester type film wherein the easily slipping layer comprises a sulfonic acid type component, as recited in amended claim 1.

The Office Action states that the intermediate layer of Tabota comprises an acryl-modified polyester or polyurethane resin with a hydrophilic group including a sulfonic acid group. See Office Action, page 3, lines 8-10 (citing Tabota, col. 6, ll. 55-64; col. 7, ll. 11-32). However, the intermediate layer of Tabota is **NOT** a surface layer as the easily slipping layer of the claimed invention, but a layer located between the ink layer and the thermoplastic polymer film. See Tabota, col. 6, ll. 27-29. Tabota merely discloses the sulfonic acid group as one example of the hydrophilic groups that may be incorporated into the resin of the intermediate layer so that the intermediate layer can easily swell or be dissolved in alkaline hot water to remove the ink layer from the thermoplastic polymer film (see col. 6, ll. 27-31 and ll. 57-63). There is no teaching or suggestion in Tabota to include a sulfonic acid type component in an easily slipping layer of a heat-shrinkable polyester type film, as recited in amended claim 1.

The deficiency of Tabota is not cured by Totani. Although Totani discloses that additives such as an antistatic agent may be added to the outer layer of the heat-shrinkable multi-layered film (see paragraphs [0037] and [0038]), Totani does not disclose a specific example of the antistatic agent.

Furthermore, the use of a sulfonic acid type component in the claimed heat-shrinkable polyester type film confers not only antistatic property but also other superior properties (see page 22, lines 10-22 of the specification). First, the sulfonic acid type component acts as a surfactant so that an easily slipping layer having few defects can be obtained. Second, because the sulfonic acid type component has a high affinity for the binder resin of the easily slipping layer, uniform dispersion of the sulfonic acid type component in the easily slipping layer and uniform antistatic property can be achieved. Third, the sulfonic acid type component has excellent adhesive property to the heat-shrinkable polyester type film, thereby efficiently suppressing separation of the easily slipping layer from the heat-shrinkable polyester type film. As discussed above, Totani does not specify the antistatic agent in the heat-shrinkable multi-layered film. There is no teaching or suggestion of including a sulfonic acid type component in an easily slipping layer or the advantages associated with the sulfonic acid type component.

Tabota in view of Totani fails to teach or suggest a heat-shrinkable polyester type film comprising a sulfonic acid type component, as recited in amended claim 1. The claimed invention would not have been obvious over Tabota in view of Totani. Withdrawal of the rejections is respectfully requested.

CONCLUSION

The Examiner is encouraged to contact the undersigned regarding any questions concerning this amendment. In the event that the filing of this paper is deemed not timely, applicants petition for an appropriate extension of time. The Commissioner is authorized to debit Deposit Account No. 11-0600 the petition fee and any other fees that may be required in relation to this paper.

Respectfully submitted,
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